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mischance in the form of the verdict which was given to the jury, no place was left therein for the separate assessment of the actual damages, and the whole was returned in a lump sum, according to the form as exemplary damages. This was an error of form, and not of substance; and as, under the facts and circumstances of the case, the assessment was reasonable and just, we do not think the judgment ought to be reversed for this error.' But the case at bar is distinguishable from that case in this: In that case the jury made no finding at all in regard to actual or compensatory damages, while in the case at bar they expressly found that plaintiff was entitled to recover, and that he had sustained no compensatory damages, but assessed punitive or exemplary damages at one cent. The jury, in finding for plaintiff, in effect found that defendants arrested the plaintiff, and cursed and abused him, without any lawful excuse or reason therefor; and upon that finding he was entitled to have actual damages, in some amount, assessed in his favor. Under such circumstances, at the common law he is entitled to pecuniary reparation by way of damages, at least nominal, and as much more, if anything, as the jury may think him entitled to under the evidence."

**FRAUDULENT CONVEYANCE—JUDGMENT LIENS.**—A debtor conveyed land to defraud his creditors, the vendee being an actual party to the fraud. After the conveyance a creditor of the grantor obtained judgment against him and sold the land so conveyed under an execution. Neither the vendee at the execution sale nor the judgment creditor began any equitable proceedings to have the fraudulent conveyance set aside within six years. *Held*, that the title of the fraudulent grantee is protected by the statute of limitation, and unless a cancellation of the fraudulent conveyance is effected within six years from the discovery of the fraud, his title becomes absolute and unassailable. *Brasie v. Minneapolis Brewing Co.* (1902), — Minn. —, 92 N. W. Rep. 340.

That the creditor's judgment is not a legal lien on the land of a debtor who has made a prior fraudulent conveyance thereof, and therefore the legal title does not pass to the purchaser by a sale on execution, but simply an equitable right, is maintained in *Lyon v. Robbins*, 46 Ill., 279; *Doster v. Bank*, 67 Ark. 325, 55 S. W. 137, 48 L. R. A. 334, 77 Am. St. Rep. 116; *Hal-lorn v. Trum*, 125 Ill., 247, 17 N. E. 823; *Howland v. Knox*, 59 Iowa, 46, 12 N. W. 777; *George v. Williamson*, 26 Mo. 190, 72 Am. Dec., 203; *Miller v. Sherry*, 2 Wall., 237, 17 Law. ed. 830. Other courts hold that a sale of land under execution on a judgment rendered after a fraudulent conveyance by the debtor vests the legal title, not a mere equitable right in the purchaser. *Wagner v. Law*, 3 Wash., 500, 15 L. R. A. 784; *Bank v. Biskey*, 19 N. Y. 369, 75 Am. Dec. 347; *Smith v. Reid*, 134 N. Y. 568, 31 N. E. 1082; *Thomson v. Neeley*, 50 Miss. 310; *Foley v. Ruley*, 50 W. Va. 158, 40 S. E. 382, 55 L. R. A. 916. But in Oregon a judgment is not a lien upon the land which the debtor purchases with his own money in a son's name for the purpose of defrauding his creditors. *Smith v. Ingles*, 2 Or. 43. There is ample authority for holding that a judgment creditor may proceed to sell land previously conveyed by the debtor in fraud of his creditors without first filing any bill to remove the cloud from such conveyance. *Wyman v. Richardson*, 63 Me. 293; *Bank v. Risley*, 19 N. Y. 369, 75 Am. Dec. 347; *Pratee v. Mathews*, 53 Miss. 140; *Eastman v. Schettler*, 13 Wis. 362; *Fowler v. Trebein*, 16 Ohio St. 493, 91 Am. Dec. 95. But there is much confusion in the law as to priority of judgments when a junior judgment creditor is first to institute equitable proceedings to set the fraudulent conveyance aside; some hold that such judgment creditor takes precedence, others that they come in the order of the judgments obtained.